IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.17799 of 2008
ISHWARNATH PANDEY
Versus
STATE OF BIHAR
With

Cr.Misc. No.13065 of 2008
SONU PANDEY @ TARKESHWAR PANDEY
Versus

THE STATE OF BIHAR
- - - -

3. 24.6.2008 Heard.

These two petitions arise out of one F.I.R. vide Ander( M.H.Nagar) P.S.Case No. 43 of 2007 under Section 302 of the Indian Penal Code. The petitioner Ishwarnath Pandey is the father of petitioner Sonu Pandey alias Tarkeshwar Pandey. The allegation against petitioner Ishwarnath Pandey is that he fired into the belly of the informant who subsequently succumbed to the injury. Petitioner Sonu Pandey alias Tarkeshwar Pandey is alleged to have fired shot on the son of the deceased. There is a counter version also on account of some dispute between the parties.

Regard being had to the fact that petitioner Ishwarnath Pandey is alleged to be the assailant of the deceased, his petition is dismissed.

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As regards petitioner Sonu Pandey alias Tarkeshwar Pandey, he is directed to be released from custody on his furnishing a bond of Rs. 10,000/-( ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan in the above noted case, i.e., Ander P.S. Case No. 43 of 2007.

Kanth

**( Dharnidhar Jha, J.)**

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